

Li Tungsten Superfund Site

COMMUNITY TASK FORCE CHARTER

January, 1995

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I. Task Force Purpose

This charter establishes the Li Tungsten Superfund Site Community Task Force (Task Force). The purpose of the Task Force is to provide an interactive mechanism for the interested parties, to discuss the objectives and progress, as well as provide recommendations of technical studies that will lead to the United States Environmental Protection Agency's (U.S. EPA) selection of a cleanup plan for the Li Tungsten Superfund site.

II. Object and Scope of Activity

The objective of the Task Force is to raise issues related to the Li Tungsten Superfund site, thus, allowing identified concerns to be considered and addressed early in the Superfund process. The Task Force will address a variety of issues related to the Li Tungsten site, including, but not limited to, the future land use of the site and the question regarding how clean is clean. At a minimum, the Task Force will operate throughout the U.S. EPA Superfund Remedial Investigation and feasibility Study period.

The purpose of the Task Force shall be to reflect the interests and concerns of private citizens, public officials, public interest groups, and businesses in the project area. Specific responsibilities shall include but are not limited to:

- a) developing an understanding of the objectives and elements of the Li Tungsten project and federal Superfund program;
- b) reviewing project documents and reports;
- c) fostering a constructive interchange among the various interests represented by the Task Force;
- d) expressing community concerns to U.S. EPA;

- e) share in public education;
- f) evaluating the effectiveness of alternative activities;
- g) commenting on the prospect of community acceptance of the agency recommendations;
and
- h) provide recommendations and comments on proposed U.S. EPA remedial alternatives.

III. Membership

The Task Force will consist of not more than 30 voting members. To the maximum degree possible, the committee shall reflect balanced representation from individuals, government officials, public interest organizations, community boards and economic interests. No more than twenty-five (25) percent of the voting membership shall reside outside of the community. Anyone may assign an alternative representative. For voting purposes, there shall be only one member representing each board, organization or any such entity.

Membership will consist of those who requested membership at and since the December, 1993 Task Force meeting, through the meeting at which the Charter is adopted

The Task Force shall conduct all business with a 1/3 quorum. Passage of a motion shall require approval by a majority of Task Force members present at a given meeting, unless otherwise specified in the By-Laws or Charter.

Expansion of Membership

Following attendance of the third meeting, by majority vote of the members present, prospective membership will be voted upon.

Resignation and Termination

Failure to attend three consecutive meetings without an excused absence, or sending an alternate, will result in automatic termination of membership status. Official written notification must be sent by the Task Force to the member with a 30-day opportunity to respond, before termination is effective. A vote of the majority of the full voting membership is necessary to terminate a member for cause from the Task Force. A member may resign by submitting a formal letter of resignation to the Task Force Chairpersons.

Ex-officio Members

Ex-officio members shall include representatives of the U.S. EPA, NYS Department of Environmental Conservation, NYS Department of State (including both the Bureau of Local and Regional Programs, and the Bureau of Consistency), NYS Department of Health, Nassau County Department of Health, Clean Sites, and may include other interested public agencies. In addition to Ex-officio members, other non-voting members shall include representatives of interested organizations that wish to send more than one representative to a meeting.

IV. Issues and Topics to be Addressed by the Task Force

The issues to be discussed by the Task Force will include, but are not limited to, the topics below

A. Background and Nature of Contamination

Task Force members will discuss the background and nature of the contamination problems that exist at the Li Tungsten site, how the contamination problems will affect the community and surrounding areas, or affect other related projects and initiatives that may be underway in the Glen Cove area.

B. Sampling Plans

The Task Force will review and discuss all work plans for collecting samples of soil, water, air, and sediment during the Remedial Investigation. The Task Force will discuss how the sampling plans will fit into the overall information needs of decision making, particularly alternatives for future land use. Task Force members will be asked to provide feedback on all activities planned at the site.

C. Future Use Alternatives

The Task Force will focus attention on the pros and cons of realistic alternatives for future use of the property following the U.S. EPA's cleanup of the Li Tungsten Superfund site, and how these use alternatives affect the investigative activities at the site. U.S. EPA is not responsible for future development of the site; however, the Agency is responsible for considering current and potential future uses of the site in making its cleanup decisions. Therefore, the Task Force will focus on discussing how potential future land use alternatives would have an effect on the investigation activities and remedy chosen for the Li Tungsten Superfund site.

D. Preliminary and Final Site Data

The Task Force will review and discuss the data gathered during the Remedial Investigation to develop a common understanding of the meaning of the data. Although data usually is released to the public at the end of the Remedial Investigation in a formal report, the Task Force will review data earlier in the process. The Superfund process requires that samples collected during an investigation be handled and tested according to specific quality control procedures, to ensure that the data results are accurate. This process is referred to as validation. Data will be made available to the Task Force for review as it is validated. The task Force will focus on discussing how the data will direct U.S. EPA's approach to further investigation activities, as well as the selection of cleanup alternatives.

E. Risk Assessment

The Task Force will review and discuss with U.S. EPA, and U.S. EPA's contractor when appropriate, the draft and final work plans and procedures for assessing the risks posed by contamination at the Li Tungsten Superfund site. This will provide the Task Force with an

opportunity to have input on the development of the risk assessment activities. The discussions will focus on ensuring a complete understanding of the technical process and discussing any information and concerns, such as future land use, that would affect how risks are calculated. Related issues for discussion may include how the risk assessment results relate to other contaminated sites in the Glen Cove community. Although U.S. EPA's risk assessment will only look at the risks associated with the contamination from the Li Tungsten site, the Task Force may discuss ways to evaluate cumulative risks and incorporate the results into the decision making at Li Tungsten.

F. Remedial Alternatives

The Task Force will discuss various remedial alternatives and technologies that may be available for the Li Tungsten Superfund site. The Task Force will work with U.S. EPA and its contractors to ensure that the remedial alternatives evaluated for the site take into consideration the input of all stakeholders, and in particular, the impacts of the alternatives on the Glen Cove community.

V. Meeting Schedule and Agendas

The regular meetings of the Task Force shall be held on the first Thursday of each month, unless otherwise decided by the Task Force. At a minimum, the Task Force will meet on a quarterly basis. At the end of each Task Force meeting, agenda items will be drafted for the following meeting. Agenda items must be topics consistent with the goals of this charter. Based on the items suggested by the Task Force, Clean Sites* will prepare an agenda for each meeting and distribute it to Task Force members no later than one week prior to the meeting. Task Force members may suggest additional agenda items for meetings by contacting Clean Sites* no later than two weeks prior to the next scheduled Task Force meeting. Additional agenda items will be identified by the facilitator at the start of the next meeting and the Task Force will decide whether to add them to the agenda.

With the exception of the first annual meeting, the regular meeting in January shall be known as the annual meeting and shall be for the purpose of electing officers, receiving reports of officers and committees, and for any other business that may arise.

VI. Meeting Management and Meeting Summary Procedures

The Task Force shall have two Co-chairpersons, at least one of which shall be a Glen Cove resident, elected by the majority of the voting members present. They shall serve for a term of one year. Nominations for Chairpersons will be sought by Clean Sites*. Only voting members are eligible for nomination and to serve as Chairpersons. If vacancies occur, they shall be filled in the same process as that followed at the annual meeting, and serve out the remaining term. The Co-chairpersons are authorized to serve as spokespersons for the Task Force in responding to inquiries by the media or other parties.

Clean Sites* will be available to provide logistical support in convening Task Force meetings, facilitating meetings, and technical services. Meeting summaries highlighting key discussion points and decisions, or minutes will be prepared by Clean Sites after each meeting, and mailed

to Task Force members no later than one week after each Task Force meeting. In addition, copies of the summaries and minutes will be sent to the information repository.

VII. Special Committees

The Task Force may provide for the formation of Study Groups, Special or Standing Committees, Subcommittees. The Task Force shall define the responsibilities of the groups or committees at the time of formation, including reporting back to the Task Force.

A steering Committee, comprised of the Co-chairpersons and the Chairpersons of each Task Force Subcommittee, is authorized to respond to issues which arise between regular Task Force meetings which need attention before the next Task Force meeting. The Steering Committee will provide notice of its actions to the Task Force, and will qualify its actions as having been made by the Steering Committee, not the full Task Force.

VIII. Changes to the Charter

This Charter may be changed by a two-thirds (2/3) vote of the full voting Task Force membership, provided notice of the proposed changes and the date, time, and location of the meeting at which changes are to be voted on, are circulated in writing to all Task Force members at least 30 days in advance of the meeting

IX. Public Involvement with the Task Force

All Task Force meetings will be open for the public. All Task Force meetings will be advertised to notify the general public.

X. Decision Making Procedures

The decision making procedures for the Task Force will vary based on the nature of the information discussed. The primary method of decision making within the Task Force and any Task Force work group will be a collaborative process, with a goal of reaching a group consensus. Every effort will be made to reach a group consensus; however, at a minimum, all differing positions, as well as the reasons for those differences, will be identified and recorded for U.S. EPA review in the meeting summaries or minutes. In addition, individuals may submit written dissenting opinions or comments for submission to U.S. EPA.

XI. Document Distribution and Review Procedures

As U.S. EPA develops documents during the Remedial Investigation and Feasibility Study phases of the Superfund process, the Task Force will be given the opportunity to review and comment on each of them. As representatives of organizations, agencies, or other affiliations, Task Force members are responsible for interfacing with their constituents to ensure that their input and reviews include the views of their constituents.

Each time U.S. EPA releases a document, the technical executive summary of the document which summarizes the key issues contained in the document, will be sent to all members of the Task Force, and distributed to U.S. EPA's community mailing list for the Li Tungsten Superfund site. If an executive summary for a document does not exist, one will be developed and distributed in the manner described.

In addition, a minimum of five copies of the complete document will be provided to the Task Force for review on a circulating basis. The maximum review period for any document will be one month. The order of circulation will be determined by consensus. With five copies of the document in circulation, each member will be given one week to review the documents and circulate copies to the next member. Copies of the documents will be distributed by U.S. EPA in advance of the next Task Force meeting to allow for the necessary review time.

Two additional copies of all reports will also be available as a reference in the public library. Restrictions in the number of circulating copies for the Task Force will be based only on the size and cost of reproducing these reports, in order to minimize waste and preserve resources.

The Task Force may develop statements or reports, or develop smaller work groups to prepare written comments for submittal to U.S. EPA for consideration of specific topics. Reports, statements, or comments prepared by work groups, will first be submitted in writing to U.S. EPA by such work groups will be responded to in writing by the Agency. Clean Sites* will be available to develop and produce such statements, reports or comments at the direction of the work groups or Task Force as a whole. Procedures regarding how these documents are distributed will be at the discretion of the Task Force.

* Subject to the availability of funding through Clean Sites* cooperative agreement with U.S. EPA.